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VIA ECF

The Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Edwin Santiago, 22-cr-107(AT)

Dear Judge Torres:

I represent Edwin Santiago in the above-captioned matter. I write to request a modification of Mr. Santiago's Pretrial release status. Specifically, I am requesting Mr. Santiago's release status be modified from home incarceration to home detention to allow him to work and attend GED classes. Alternatively, if the Court is not inclined to grant that modification, I am requesting a modification of his home incarceration to allow Mr. Santiago to attend GED tests that are verified and approved by Pretrial Services. Pretrial does not object to either request. The Government opposes the modification to home detention but consents to allow a modification for GED testing.

Prior to Mr. Santiago's arrest in this matter, he worked as a fire sprinkler technician. Jose Candelario, owner of the company Wela Mechanical, informs me that he is willing to hire Mr. Santiago to work as a fire sprinkler technician at a long-term stationary project located in Brooklyn, New York. Mr. Santiago is in dire financial need as his mother recently passed away and his family is struggling to cover funeral expenses. Additionally, he has been unable to pay his child support obligations. If granted home detention, Mr. Santiago would remain on location monitoring. He would only be permitted to travel directly to and from work, and Pretrial would be able to verify that he complied. Mr. Santiago would remain in full compliance as he has since his release.

The government opposes the request to modify his status to home detention and asks that the following language be included in this request:

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The Government opposes the application because the defendant is both a flight risk and a danger to the community, and allowing him to leave the home each day seriously increases the risks that he will flee and/or continue selling narcotics and firearms. The defendant sold cocaine and four firearms to undercover law enforcement, and additional cocaine and an additional firearm were found at his residence when he was searched. The defendant has five serious prior convictions which include robbery, assault, narcotics, and possession of dangerous prison contraband. He is facing a 15 year mandatory minimum, is not safety-valve eligible, and the evidence is overwhelming in this case, which provides a strong incentive for him to flee. Finally, the defendant was only released on bail (over the Government's objection) on or about June 28, 2022, and so the relatively brief period he has complied with bail conditions should be given little weight by the Court.

If the Court grants the modification to home detention, Pretrial services could approve Mr. Santiago to attend GED testing at its discretion. If the Court does not grant the modification, Mr. Santiago respectfully requests that the Court modify the terms of his home incarceration to allow him to attend GED testing that is verified and approved by Pretrial. Mr. Santiago has been studying for the GED and is planning to take the test in segments. Pretrial and the Government have no objection to this request.

I thank the Court in advance for its consideration of this matter.

Sincerely,



Daniel A. McGuinness

GRANTED. The Defendant's release status is modified from home incarceration to home detention to allow him to work and attend GED testing. The Defendant shall remain on location monitoring and shall only be permitted to travel directly to and from work. Pretrial Services may approve the Defendant's attendance of GED testing at its discretion.

SO ORDERED.

Dated: September 22, 2022
New York, New York



ANALISA TORRES
United States District Judge